

IN THE DISTRICT COURT OF THE UNITED STATES
DISTRICT OF SOUTH CAROLINA
BEAUFORT DIVISION

UNITED STATES OF AMERICA)	CRIMINAL NO.: <u>9:13-cr-0088</u>
)	
)	21 U.S.C. § 841(a)(1)
)	21 U.S.C. § 841(b)(1)(C)
vs.)	21 U.S.C. § 846
)	21 U.S.C. § 853(a)(1)
)	21 U.S.C. § 853(a)(2)
)	21 U.S.C. § 881(a)(11)
)	28 U.S.C. § 2461(c)
DAVID VINCENT RHODES)	
)	INFORMATION
)	

COUNT 1

THE UNITED STATES ATTORNEY CHARGES:

That beginning at least in or around January 2004, and continuing thereafter, up to and including the date of this Information, in the District of South Carolina and elsewhere, the Defendant, **DAVID VINCENT RHODES**, knowingly and intentionally did combine, conspire, agree and have tacit understanding with others, both known and unknown to the Grand Jury, to knowingly, intentionally, and unlawfully possess with intent to distribute and dispense, and to distribute and dispense, outside the usual course and scope of professional practice and not for a legitimate medical purpose, a quantity of Oxycodone (commonly known as "OxyContin," "Percocet," and "Roxicodone"), a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C);

All in violation of Title 21, United States Code, Section 846.

FORFEITURE

1. **DRUG TRAFFICKING OFFENSES:**

Upon conviction for one or more violations of Title 21, United States Code, Sections 846 and 841(a)(1), as charged in this Information, the Defendant, **DAVID VINCENT RHODES**, shall forfeit to the United States all of the Defendant's right, title and interest in and to any property, real and personal,

- A. constituting or derived from any proceeds the Defendant obtained, directly or indirectly, as the result of such violations of Title 21, United States Code, and all property traceable to such property; or
- B. used or intended to be used, in any manner or part, to commit or to facilitate the commission of such violations of Title 21, United States Code.

2. **PROPERTY:**

Pursuant to Title 21, United States Code, Sections 853(a)(1) and 853(a)(2), 881(a)(11), and Title 28, United States Code, Section 2461(c), the property which is subject to forfeiture upon conviction of the Defendant for offenses charged in this Information includes, but is not limited to, the following property:

A. **Proceeds/Money Judgment:**

A sum of money equal to all property the Defendant (and his co-conspirators) obtained as a result of the drug offenses charged in Count 1 of the Information, that is a minimum of \$150,000.00 in United States currency.

If any of the property described above as being subject to forfeiture, as a result of any act or omission of the Defendant-

- (1) Cannot be located upon the exercise of due diligence;
- (2) Has been transferred or sold to, or deposited with, a third person;

- (3) Has been placed beyond the jurisdiction of the court;
- (4) Has been substantially diminished in value; or
- (5) Has been commingled with other property which cannot be subdivided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the Defendant up to the value of the forfeitable property;

Pursuant to Title 21, United States Code, Sections 853 and 881, and Title 28, United States Code, Section 2461(c).

s/William N. Nettles
WILLIAM N. NETTLES
UNITED STATES ATTORNEY

January 31, 2013

Charleston, South Carolina